

Neither party wants the other to be seen by the electorate to have found the solution. Blocking the other's proposals will continue to take precedence in the run-up to November.

Cox News Service, June 3:

Slim chances for agreement on prescription drugs.

And the L.A. Times:

Few on Capitol Hill think . . . they'll produce a bill this year.

Columbus [Ohio] Dispatch:

Time is running out. . . .

The legislative year effectively ends when lawmakers leave for the August recess.

Madam President, I could go on and on. There are dozens of articles like this, but I think you get the idea. Hardly anyone thinks we are going to do anything serious about prescription drug costs and prescription drug coverage. Let us pray they are wrong—that they are not right. But if the past is prologue, that is exactly the partisan blame game that smells up this place sometimes.

I am interested in doing something now. I want results, not a campaign issue. Time is running out, and I hate to tell you but some people want it to run out. That is their game. They want to shuffle and slouch and go through the motions while the clock does run out. That is why I think I am going to bring a calendar in here, and just like we count the shopping days left until Christmas, I am going to count the days left until the August recess.

It would look just like this: 39 days left. I don't think we are going to do anything today—another day shot.

Madam President, I know some may call that undignified. I hope they do. I would like to get the meaning of dignity into this debate, into this discussion. I will tell you what is undignified—an old woman with trembling hands, trying to cut a pill in half so her medicine will last a little longer. I will tell you about losing dignity—an old man proud and self-sufficient all his life, admitting in whispered tones to his pharmacist: I didn't know it was going to cost that much and I sure don't want my check to bounce. I'll come back later.

I will tell you what undignified is—a couple who have lived together for 55 years, using coffee grounds from the day before to stretch it further because mama has to have her medicine.

So I don't want anybody talking to me about the loss of dignity, not in this debate.

By the way, there is a difference between what is undignified and what is obscene. What is obscene is making an 18.5-percent profit margin—more than four times that of all other industries—and raking in that kind of profit on the backs of our seniors.

I will tell you what is obscene—the giant pharmaceutical companies spending three times more on advertising than they do on research. Their ads are everywhere. How many times do we have to watch that woman who has—got to go, got to go, got to go?

What is obscene is having 650 lobbyists to make sure we keep shuffling and slouching—650 lobbyists. That is more than one for every Member of Congress.

There are towns in Georgia that do not have that big a population. I live in one.

I will tell you what is obscene—these lobbyists each make an average of over \$12,000 a month. That is three times more than what an average school-teacher or a registered nurse makes. We talk about predatory lending, predatory lenders—what about predatory businesses that protect their bottom lines at the expense of millions of people who cannot afford drugs they have to have?

I know we have been told we are going to take this up sometime—sometime this summer, sometime after hate crimes, sometime after this bill, sometime after another bill, sometime later. There is an old country saying. Probably nobody in this body has ever heard it, except maybe the senior Senator from West Virginia and the two Senators from South Carolina, somebody like us who has been around chickens in the yard and knows about setting hens. There is an old saying that goes like this: I hear you clucking but I can't find your nest.

It means I hear you talking, but I don't see any action.

I will tell you this, I don't want to be associated with any political party that cannot comprehend the urgency of this stark need of our seniors; that is unwilling to take some risks and that is unwilling to compromise to get some results. If we fail to get some results on this issue, we should be so ashamed that all incumbents going into November—Democrats and Republicans alike—should have to go around with a paper sack over their heads like sports fans sometimes do when they are embarrassed by their team's performance.

We have to do something and we have to do something soon, Madam President, and I know you share those desires.

#### SUPPLEMENTAL APPROPRIATIONS ACT FOR FISCAL YEAR 2002—Continued

The PRESIDING OFFICER. The Senator from West Virginia.

##### AMENDMENT NO. 3557

(Purpose: To strike section 1004 of the bill)

Mr. BYRD. Madam President, Senator STEVENS and I have an amendment to strike section 1004 of the bill. This section serves to cap the amount of loan guarantees that would be available to the Nation's airlines for the duration of the current fiscal year. The section also caps the total amount of loan guarantees available through the life of the program. These loan guarantees were first authorized in Public Law 107-42, the Air Transportation Safety and System Stabilization Act, which was enacted to bail out the airlines just 11 days after the tragedies of

September 11. The committee included the provision capping the volume of available loan guarantees for the sole reason of reducing the overall cost of the bill as determined by the Congressional Budget Office.

The CBO estimates that section 1004 of the bill serves to lower the total cost of the bill in fiscal year 2002 by \$393 million. A similar provision was included in the House version of the supplemental. There has been a lot of concern voiced by various Senators, to me and to Senator STEVENS and especially Senator HOLLINGS, the chairman of the Appropriations Subcommittee on Commerce.

And the concern has been that the effect of this provision would especially be heavy on US Airways and other airlines. But that particular airline is hopeful it might receive a Federal loan guarantee in the current fiscal year. There may be reason to question whether any sizable new loan guarantees will be executed by the stabilization board within the current fiscal year, but it is not the desire or intent of the committee to work a hardship on US Airways or any other airline. US Airways is the principal air carrier serving my own State.

Madam President, I send the amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 3557:

Strike section 1004 of the bill.

Mr. BYRD. Madam President, that should read: the amendment as proposed by Mr. BYRD, on behalf of himself and Mr. STEVENS.

The PRESIDING OFFICER. The RECORD will so reflect.

Mr. BYRD. I thank the Chair.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Madam President, I am in support of the amendment offered by Senator BYRD for himself and for me. I ask that it be adopted. I understand the Senator from Arizona would like a rollcall vote. I have no objection to that. We join him in that request.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 3557.

Mr. MCCAIN. Madam President, I ask unanimous consent that the time for the vote be set by the majority leader in consultation with the Republican leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANTORUM. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANTORUM. Madam President, I rise in support of the amendment offered by the Senator from West Virginia. I thank him and Senator STEVENS for moving forward quickly with the amendment to alleviate any question in the minds of the airline industry, but in particular, as Senator BYRD alluded, US Airways and US Airways employees. Over the last week, having been in my State of Pennsylvania, I have heard everywhere I go, traveling through the airports, the grave concern that employees of US Airways have with respect to this loan fund and the availability of the loan fund resources to help this company get through what is a very treacherous time in the company's history, treacherous in terms of trying to negotiate a very difficult environment for the airline industry generally but a much more complicated one for US Airways as a result of probably being more impacted by the events of 9/11 than any other airline in the country.

I can tell you, after the events, they had no intention of ever having to access this fund. They were hoping they would survive on \$1 billion in cash, and they have burned through most of that as a result of the losses they have suffered over the past 7 or 8 months. Now under new leadership, they have a new vision for restructuring this company to try to make a go of it as a more efficient carrier.

They will need, I have been told, these resources, these loans, and their application will probably be forthcoming within the next weeks or months. So this original provision in this bill which would have made this money unavailable until October 1 would have been certain death for this company. They have simply run out of money and no bank would have lent them the money. They are in the process now of negotiating with their employees. I can tell you, I have heard from employees—the folks on the lines, pilots, folks at the reservation desks, and the flight attendants—that the negotiations are vigorous, but there is a new spirit in the airline, and I am very excited about it. We have over 25,000 employees of US Airways in Pennsylvania. It is a big deal in Pennsylvania.

This amendment allows the program to continue. It will not remove money

from the program. What it does not do is guarantee that US Air will get the loan guarantees. What it does is say that the program is still going to be here, and US Airways would be able to apply. But there is still the question of whether there will be sufficient reorganization of the airline so they can then go to the board and get this kind of loan.

In the Senate, we have included the first step. I hope that provision will not be in the conference report. I know Senators BYRD and STEVENS will work hard to make sure that occurs. I thank them for this amendment. I certainly fully support it.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Madam President, I appreciate the statement of the Senator from Pennsylvania. We in Nevada, in Arizona, and in the Western United States have experience with this loan fund. We had an airline that had been going since the late 1950s. Because of what happened on September 11—they had a large line of credit that was available. When September 11 hit, it was gone. They could not recoup in time to stay in business had it not been for this loan program.

I believe America West is the only airline that has received the actual approval of a loan. It has been lifesaving to the airline. The airline is now thriving and doing well, and they established direct flights from Washington National to Phoenix and Las Vegas. They are doing very well.

I appreciate the statement of the Senator from Pennsylvania, and I am especially grateful to the managers of this bill for making this the first amendment.

I ask unanimous consent the vote on the pending amendment occur at 2:15 p.m. today and that no amendments to the language proposed to be stricken be in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I thank the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Madam President, I find myself in support of the Byrd amendment. The reason I wanted a recorded vote is because we need to send a strong signal to the other body, when this bill goes to conference, that we cannot destroy the Aviation Loan Guarantee Program, which would have been the effect of this legislation.

The question, of course, is why would the appropriators again take it upon themselves to make a fundamental policy change, which was recently authorized by a 98-to-0 vote in this body? The arrogance of the Appropriations Committee almost overwhelms me. This legislation was about to be emasculated—the Aviation Loan Guarantee Program—without a hearing before the Appropriations Committee that I know of, without any discussion on the floor of this body; it was going to be destroyed.

The reason, obviously, we know—I will state the obvious—the Byrd amendment is now going to pass is because of the incredible outcry all over the country from employees, management, and from those who understand the absolute criticality of the aviation industry in this Nation.

So I hope this amendment is passed by 100 to 0. But how they could take it upon themselves to fundamentally alter and micromanage the Aviation Loan Guarantee Program passed just 8 months ago, of course, without any consultation with the committee of jurisdiction over this program and which was responsible for the bill we passed just a few months ago creating the Aviation Loan Guarantee Program.

Madam President, let me explain this program. The overarching purpose behind the Air Transportation Safety and Stabilization Act was to address the financial condition of the airline industry. The tragic events that occurred on September 11, 2001, had far-reaching effects on the airline industry. Commercial air carriers were used as weapons of mass destruction with devastating results. The resulting Federal-Government-ordered shutdown of the air transportation system resulted in a total loss of revenue for the airline industry for several days. This loss of revenue, through no fault of the airlines, mandated an appropriate shutdown of the airline industry and the resulting slowdown in air travel and issues regarding potential liability all lead to placing the airline industry in an extremely precarious financial situation.

As a result, Congress acted quickly—through the authorizing committee, I might add—to stabilize the airline industry by setting forth assistance on three fronts. It offered a cash infusion to reimburse the airlines for losses ensuing from the Government shutdown of the airways. It offered loan guarantees to allow those carriers that lost the ability to obtain financing due to a more conservative lending market after the terrorist attacks to obtain Government-guaranteed loans. It offered a limitation on liability to address the problem faced by several airlines that were unable to obtain financing due to their perceived potential liability.

The action taken by Congress was to ensure that all airlines—I emphasize “all airlines”—were given an equal opportunity to return to their financial positions prior to September 11, 2001. In the interest of full disclosure, some of the airlines, prior to September 11, 2001, were not in good shape. We all recognize that. But Congress believed it needed to act in an equitable manner to try to prevent the human catastrophe from becoming a severe economic one that could alter the Nation's transportation system, at a minimum.

It was never our purpose, and still is not, to provide a taxpayer-funded bailout for airlines that were doomed to fail even before the events of September 11. However, it was also not our

intention for the Federal Government to become the architect of a new aviation economy, effectively picking winners and losers and, in doing so, contributing to the further consolidation of the airline industry.

Yet here we were with the appropriators attempting to circumvent the work of the authorizing committee and fundamentally altering the act's loan guarantee program because, after all, they know best.

Under section 1004 of the supplemental measure, the Aviation Loan Guarantee Program would be limited to \$429 million for this fiscal year. Interestingly, the only loan guarantee approved this year was for \$429 million. In other words, no further loan guarantees can be issued this year, according to the appropriators' directive. There apparently is some report language that is intended to allow the board to continue to review and approve applications, but it would not be able to issue Federal credit instruments. We are told by the financial markets and the airlines this language may not deal with the appropriate issue. If the loan guarantees cannot actually be issued, then the financial markets may not be willing to extend credit.

The bill then reduces the loan program from \$10 billion to \$4 billion—a whopping 60-percent reduction by a stroke of the appropriators' pen. You might say \$4 billion is a lot of money, and it is a lot of money; but my understanding is that there is grave concern in the industry that if the number of carriers that are expected to apply do so, a \$4 billion level would not be sufficient and, in turn, there would be significant consequences throughout the airline industry.

Let me be very clear. I do not support any particular airline's application under this program. It is the stabilization board's discretion to determine if a particular airline is eligible. But there are numerous applications currently pending, and if their applications are approved, they will need the loan guarantees this year.

Let me note that the competition in the aviation industry has always been precarious. Since deregulation, national and regional competitive low-cost carriers have sprung up and are considered the driving force behind the benefits of airline deregulation. While some have failed, the entry of low fare competition has been shown to reduce fares and enhance service for the flying public. Any attempt by the Federal Government to predetermine which airline should survive and which should not would upset this precarious balance and could result in detrimental results for the traveling public.

Effectively halting this program for the year and cutting it by 60 percent is fundamentally wrong and would have had devastating consequences. We would be changing the rules midstream and impacting fundamental business decisions that companies made based on the existing rules. Let me say that

this was avoidable. Any amount of due diligence or communication with the authorizing committee, or the stabilization board, would have alerted the appropriators that their actions could significantly alter the playing field in the airline industry.

I believe in the free market perhaps even more so than others, but the events of September 11 were not foreseeable. We made a commitment to the airline industry that we would address their needs collectively, not piecemeal. Yet here we are, 8 months later, pulling the rug out from under them, and the financial markets are reacting and pulling back.

This provision, I am sure, will be taken out with a vote that will take place this afternoon. But if airlines had gone under and Members lost service or, more importantly, low-cost competition, I do not think we could complain about the lost jobs in the economy or high airline fares because any Members supporting this provision would only have themselves to blame.

I want to speak about the bill for the fiscal year 2002. Before the Memorial Day recess, I stated my strong opposition to moving to consideration of this supplemental appropriations bill without first providing sufficient time for a thorough review of its provisions to ensure that we are acting in a responsible manner.

The bill before us today contains \$31 billion in Federal spending. That is about \$1.6 billion more than the House bill and \$4.1 billion over the President's budget request. There is at least \$3.1 billion in new spending above the President's request that is not paid for and will only add to our mounting deficits.

The Government is already running a deficit of \$66.5 billion for the first 7 months of the budget year, a reversal from the \$165 billion surplus recorded for the same period a year ago. It does not take an economist to conclude that at the rate we are increasing spending, we will not only post a sizable deficit for the entire fiscal year but in the years to follow. The budget shortfall could total \$100 billion or more, perhaps even approaching \$150 billion.

The bulk of this bill does contain provisions that have been designated as emergencies in response to the terrorist attacks of September 11, and I fully support them, but the story does not end there.

Can anyone say with a straight face that everything in this bill, which is officially titled "The 2002 Supplemental Appropriations Act for Further Recovery From and Response to Terrorist Attacks on the United States," is directly related to this bill's stated purpose? For example, this bill provides \$2 million in emergency funding for the planning and design of an alcohol collection storage facility for the Smithsonian; \$10 million in emergency assistance for the State of Texas to provide assistance to agricultural producers with farming or ranching oper-

ations along the Rio Grande for economic losses; \$6.5 million in emergency assistance for flood control of the Mississippi River and tributaries: Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee.

Regretfully, nonemergency pork-barrel spending continues unabated. For example, this bill contains \$2.5 million provided in one of last year's appropriations bills dedicated for a cooperative agreement with the National Defense Center of Excellence for Research in Ocean Services to conduct coral mapping—coral mapping—in the waters of the Hawaiian Islands and the surrounding exclusive economic zone; \$10 million for flood recovery efforts due to flooding in southern West Virginia, eastern Kentucky, and southwestern Virginia; of the \$100 million for watershed and flood prevention operations, \$73 million is for recovery activities related to disasters occurring during fiscal year 2002, up to and including flooding in Illinois, Kentucky, Michigan, Virginia, and West Virginia; and \$50 million for building and facilities construction of the National Animal Disease Laboratory at Ames, IA. Let me repeat that one: \$50 million for building and facilities construction of the National Animal Disease Laboratory naturally designated at Ames, IA.

The surpluses we relied on last year have largely disappeared due to the recession, the war on terrorism, and the tax cuts enacted last year.

It is unfortunate that in a time of war, my colleagues cannot curb their appetite for nonemergency, wasteful spending. At this moment, the national interest must prevail over State or local parochial concerns, but as the farm bill attests, this message has not gotten through to Congress.

Let there be no doubt that this will be a long war. Therefore, we should not frivolously spend today as if there is no tomorrow. When tomorrow comes, we must have the fiscal resources to fight this war to victory.

As a member of an authorizing committee, I have several concerns about this bill. One is the Aviation Loan Guarantee Program, which I have previously discussed.

The bill takes \$100 million out of the airport and airway trust fund to reimburse airports for costs associated with new security requirements imposed on or after September 11. There was no statutory authorization to use the trust fund for such purposes, and this funding was not requested by the President.

Again, without authorization, we will shift \$100 million out of the airport and airway trust fund to reimburse airports for costs associated with new security requirements imposed on or after September 11.

The reason there is no statutory authorization for this is that the airports are planning to use this money and have already probably designated a lot of it for airport improvements.

The bill also provides \$15 million to rehabilitate and extend the service life of the FAA's inventory of certain long-range radars. Although the Appropriations Committee asserts this appropriation is in response to a Department of Defense request, this funding has not been requested by the President and should not be included in this bill.

Continued funding for these radars, which were scheduled to be decommissioned this year, is a significant policy change. It should be examined by the agency of jurisdiction and the FAA before funding is allocated.

In the aftermath of September 11, Congress made a commitment to the airline industry that we would address their needs collectively, not piecemeal, as I described.

This bill includes several other items that are more appropriately within the Senate Commerce Committee's jurisdiction. However, the relationship between funding these items and fighting the war on terrorism is also questionable.

Under the Fisheries Finance Program account, this bill provides \$5 million for individual quota fishing loans and \$19 million for traditional loans under the Direct Loan Program authorized by the Merchant Marine Act of 1926. These authorizations were not even considered by the Commerce Committee. With some limited exceptions, individual quota programs are not allowed under current law. Therefore, this funding will only help fisheries where a quota program already exists, such as a halibut fishery in Alaska.

If someone can explain to me how fishing loans have anything to do with responding to the terrorist attacks on our Nation, as this bill suggests, please do so. I eagerly await the explanation.

In fact, there is a moratorium on any new quota program being put in place before October 1. So there is not even a need for this authorizing provision. While this was included in the President's request, further investigation has shown that this provision is not needed.

This bill also amends the Oceans Act of 2000 to extend the deadline of the ocean commission's report by an additional 11 months. The Oceans Act was drafted by the Commerce Committee, and any amendments to it should have originated there. But, again, the committee was not even consulted.

Furthermore, this bill gives \$55 million to Amtrak for "emergency expenses." Of that amount, \$23 million is earmarked for fleet overhauls and repairs, \$20 million is earmarked for repairs of railcars damaged in a series of recent accidents, and \$12 million is earmarked to cover security costs incurred by Amtrak since September 11. None of this funding was requested by the administration.

Moreover, while the Senate Commerce Committee approved S. 1550, the Rail Security Act of 2001, that measure has yet to be considered by the full Senate. That bill is intended to address

Amtrak security and emergency tunnel life safety needs.

While funding for legitimate safety and security expenditures is appropriate, funding for fleet overhauls and repairs is not emergency funding. In fact, most of this funding, \$43 million of the \$55 million, is included in Amtrak's grant request for the next fiscal year, so the funding is obviously not an emergency that should be addressed as part of this bill.

Overhauls of passenger equipment are a standard part of Amtrak's maintenance program. In fact, in Amtrak's grant request to Congress for fiscal year 2003, Amtrak describes overhauls as "a basic level of maintenance to its fleet to ensure that repairs are made for normal wear and tear on nonsafety critical fleet components." Amtrak requested these funds for next year. Funds needed in a future year are not an emergency and should not be in this bill.

Of the amount for damaged passenger equipment repairs which would cover 51 cars and 5 locomotives, most of the equipment damage was incurred years ago. In one case, it occurred over 10 years ago. How can a train or wreck more than 10 years ago constitute an emergency repair need? In fact, over half the money requested for emergency repairs is for equipment wrecked before 2001.

The most egregious fact about this Amtrak funding is that to pay for a portion of it, the appropriators are rescinding \$25 million from the State Department's budget for international peacekeeping activities. Get this: We are now taking \$25 million from international peacekeeping, at a time when there are enormous problems and challenges throughout the world, to devote that money to routine repairs for Amtrak cars. Remarkable.

These funds would otherwise be released with congressional passage of the State Department reauthorization bill to support worldwide peacekeeping activities. I find it impossible to understand how the appropriators can consider nonemergency funding for Amtrak to be a higher priority than funds for international peacekeeping already appropriated in fiscal year 2001.

The bill provides \$200 million to the Secretary of Transportation to make grants to improve security at our Nation's seaports. This funding would be in addition to the \$93.3 million that was already provided in the Emergency Supplemental Appropriations Act 2002 that was enacted last fall.

While the Senate has passed S. 1214, the Port and Maritime Security Act, to authorize \$80 million annually for port security grants, that legislation has not yet been enacted.

This bill provides \$27.9 million for the deployment of Operation Safety Commerce, an unauthorized program that is intended to address security vulnerabilities associated with intermodal containers. I strongly support increased security at our Nation's sea-

ports. This program is duplicative of other efforts currently underway at the Department of Transportation and U.S. Customs.

The bill also directs pilot projects to be carried out involving, quote, the three largest container load centers in the United States, which are assumed by the appropriators to be the port centers of Seattle-Tacoma, New York-New Jersey, and Los Angeles-Long Beach. This directive fails to give any consideration to which ports are most vulnerable or pose a risk to national security.

The bill provides \$20 million for intercity bus security. While legislation has been approved by the Commerce Committee to authorize funding for intercity bus security, it has not been considered by the full Senate. This bill ensures that funding distributed under the highway trust fund for the upcoming fiscal year will be increased by at least \$4.4 billion over the President's request for fiscal year 2003. I think we knew this funding would be provided even though the President's budget request actually fulfilled the requirements that so many Members voted for when the Transportation Equity Act for the 21st Century was passed in 1998. But why does this provision need to be included in this supplemental?

A sample of other items under the Commerce Committee's jurisdiction that significantly exceed the President's request include the following: \$85 million for emergency expenses resulting from the new homeland security activities and increased security standards at the National Institute of Standards and Technology, NIST. Of that funding, the bill directs \$40 million for a cyber-security initiative. The President requested \$4 million for NIST; \$281.7 million over the President's request for the Coast Guard's acquisition, construction and improvements account, but the appropriators have only provided a meager explanation of this allocation which after review could not total \$281.7 million; \$300 million over the President's request for transportation security administration; \$745 million for emergency expenses for FEMA in response to the September 11 attack. The President requested \$327 million, less than half the amount provided.

A snapshot of items not requested by the President for the fiscal year 2002 supplemental includes the following: \$450 million for election reform grants; \$23.4 million to address critical mapping and charting backlog requirements with the National Oceanic and Atmospheric Administration, NOAA; and \$3 million to enhance the National Water Level Observation Network. Even though it falls within the jurisdiction of the Commerce Committee, the Commerce Committee was not consulted and the provision's relation to emergency homeland security needs is suspect; \$16 million for economic assistance to New England fishermen and fishing communities in response to unforeseen circumstances resulting from

a Federal court order which restricts the number of days fishermen can fish; \$10 million for NOAA for such things as backup capability of satellite services and a supercomputer backup.

The bill changes the Advanced Technology Program which currently imposes a ceiling of \$60.7 million on the amount of new grants that can be awarded by the end of the fiscal year to establishing a floor of \$60.7 million that can be awarded in any new grants by the end of the fiscal year; \$1.725 million for the International Trade Administration. ITA has already received a substantial increase in funding during the last few appropriations cycles.

The appropriators' practice of legislating on items within the jurisdiction of the Commerce Committee knows no bounds. This bill would prohibit the use of funds to implement, enforce, or otherwise abide by the memorandum of understanding between the Federal Trade Commission and the Department of Justice that was signed March 5, 2002.

Again, the test whether we are acting responsibly is simple. Just read the title of the bill. This bill is the "Further Recovery From and Response to Terrorist Attacks on the United States." Any item that is not for this purpose should not be in this bill.

Using the guise of responding to the terrorist acts of September 11 to spend Federal funds on items that obviously have nothing to do with fighting terrorism is war profiteering, pure and simple. Such actions do not help the war effort but only do a disservice to the honorable men and women who are on the front line fighting this war.

Again, I am very pleased that one of our first actions is to remove one of the most egregious aspects of this bill, and that is the basic emasculation of the Aviation Loan and Stabilization Program. Why it was ever in the bill, of course, escapes my understanding. Perhaps it was going to be one of those deals that would be done, as is so often on these appropriations bills, in such a way that no one would notice, which is the general way that porkbarrel spending ends up enacted into law. So I am pleased we are going to act on it and, of course, we need to have a recorded vote on it to ensure that the will of the Senate is clearly expressed as this bill would go to conference with the other body.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, at the outset, let me say I agree with my distinguished colleague from Arizona about striking section 1004. The purpose for my seeking recognition has been to address that subject.

The Congress acted promptly, after September 11, to provide for \$10 billion in loan guarantees because the airlines were hit in a very drastic manner. Obviously, after the attack on the World Trade Towers, the striking of the Pentagon, and the plane which went down

in Somerset County, PA, my home State, air traffic stopped instantly. In fact, for several days you could not fly at all. The FAA grounded all the planes.

With the closing of Reagan National Airport, a major airport in the United States, US Airways, which is hubbed in my State, Pennsylvania, was very heavily impacted. It was very difficult. So Congress acted to provide for \$10 billion in loan guarantees.

When this provision was put in section 1004, which limited the guarantees to \$4 billion and not more than \$429 million from being spent in fiscal year 2002, it sent shudders through the airline industry, including US Airways in Pennsylvania.

US Airways is a great national and international carrier, very important for the United States generally, but of particular importance to Pennsylvania where there are some 17,000 US Airways employees, with hubs in Pittsburgh and in Philadelphia. When US Airways was having problems immediately after September 11, Mr. Stephen Wolf, Chairman of US Airways, called me and others in the Pennsylvania delegation to secure our help, which we provided. US Airways had not planned to make an immediate request for a loan but decided to defer until this summer when they are moving to reorganize the company.

Yesterday, while I was traveling in Pennsylvania, I received a call that US Airways had asked me to introduce the amendment to strike section 1004. I immediately agreed to take the lead. Later in the day, I heard that the amendment would be authored by Senator HOLLINGS, the chairman of the Commerce Committee, and Senator MCCAIN, ranking member, with the Aviation Subcommittee chairs joining to give it the impact of the full Commerce Committee which has authorization and jurisdiction. I am pleased to note this morning that Senator BYRD, chairman of the Appropriations Committee, and Senator STEVENS, the ranking member, have undertaken the amendment, which shows how the issue has escalated in a very brief period of time.

For a while it was very onerous and very worrisome. Last week, during the recess, I traveled the State. I was in Pittsburgh, where 11,000 of the 17,000 Pennsylvania employees work. There was great consternation as to what would happen to US Airways. When I was in Erie, there was a similar concern. There was a similar concern in Altoona, a concern in Allentown, a concern in Wilkes-Barre, and a concern in Scranton.

That is good news indeed, and not just to US Airways, but also other carriers, with the expectation that United may be applying for a substantial loan guarantee of \$2 billion, and US Airways at \$1 billion. Had this loan guarantee not been available, it would have been at a particularly bad time to US Airways, which is trying to restructure

the entire airline. There has been a very difficult situation regarding cashflow this year.

I am very pleased to see this amendment has been offered by the chairman and ranking member of the Appropriations Committee. That has been done with their awareness of the tremendous impact it would have on the Nation when we had legislation to provide \$10 billion in loan guarantees, that it should stand, and there had been reliance by the airline industry on those loan guarantees being available. So this amendment will obviously solve that problem.

We still have to go to conference with the House, which, as I understand it, prohibits loan guarantees until fiscal year 2003, but would not reduce the overall amount of the loan guarantees available.

I suggest the absence of a quorum. The PRESIDING OFFICER (Mrs. CLINTON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Madam President, in the absence of any other Senator in the Chamber, if no one is seeking recognition to talk about the bill, I ask unanimous consent I may proceed for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNITED STATES-SYRIA RELATIONS

Mr. SPECTER. Madam President, I have sought recognition to talk briefly about a United States-Syria dialogue, which was held two weeks ago at the James A. Baker III Institute for Public Policy at Rice University in Houston, Texas. I attended the conference, characterized as a dialogue. It was directed at trying to find some way of improving United States-Syria relations. Quite naturally, the conversation focused on terrorism.

I have had the opportunity to visit Syria on many occasions since the mid-1980s and have always believed that Syria was a key to a comprehensive settlement in the Middle East. During the course of those visits, I came to know President Hafez al-Assad. I saw, with almost yearly visits from the late 1980s until I attended President Assad's funeral in June 2000, a subtle but decisive shift in Syrian thinking so that Syria did attend the Madrid Conference in 1991. Syria was engaged in very extensive discussions with Israel at a time when Prime Minister Rabin was in office. Those negotiations were conducted in a somewhat curious way, through President Bill Clinton. Syrians would not talk directly to the Israelis. The Israelis made efforts to talk directly to the Syrians. However, whatever format those negotiations took, they came very close to an agreement, with Israel committing to a return of